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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,487	08/30/2001	Yakov Epshteyn	SFI 718D1	9680

27782 7590 08/01/2003

SPEEDFAM-IPEC CORPORATION  
305 NORTH 54TH STREET  
CHANDLER, AZ 85226

EXAMINER

TRAN, BINH X

ART UNIT	PAPER NUMBER
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1765

DATE MAILED: 08/01/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/943,487

Applicant(s)

EPSHTEYN ET AL.

Examiner

Binh X Tran

Art Unit

1765

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 July 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☐ The period for reply expires \_\_\_\_\_ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: \_\_\_\_\_

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_

Claim(s) objected to: \_\_\_\_\_

Claim(s) rejected: 8-21 and 23-25.

Claim(s) withdrawn from consideration: \_\_\_\_\_

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_
10. ☐ Other: \_\_\_\_\_

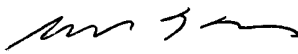
Continuation of 5. does NOT place the application in condition for allowance because: The applicants argues that the term "buff" or "buffing" have acquired distinct meanings. According to applicants, "A buffing step of buffing station is NOT any process or apparatus that is implemented or used chronologically after the first polishing step". The examiner disagrees. This argument is contradicted to applicants' own definition of the term buffing. Applicants define that "the term buff pad and buffing as used herein are generically defined a mean to a material removing article excluding a primary polishing step". Applicants cannot broadly define one term (i.e. buffing) in the specification and argues that the same "buffing" term is much more narrow than the definition given by applicants. Base on applicants' definition, any removal step that is not a primary polishing step can read on the limitation of "buff" or "buffing"

The applicants acknowledge that Yu disclose the step of buffing (col. 6 lines 38-44 and lines 50-52). However, the applicants argue, "Yu only discloses the use of polishing station or multiple polishing station CMP polishing machine for removing the barrier layer". According to applicants Yu fails to disclose the step of "removing the barrier layer from the wafer surface at a buff station using a set of buff station parameters". The examiner disagrees. As the applicants aware, Yu clearly teaches the step of buffing step at the third station. Since the barrier layer is exposed after the polishing step, some portion of the barrier layer must be removed during the buffing step. The examiner does not need to prove that the barrier layer completely removed.

The applicants further argue that the examiner's suggestion that a second station is equivalent to a "buff station" is contrary to applicants' definition of a buff station. The examiner disagrees. Since the applicants broadly define the term "buff" or "buffing station" in the specification, the examiner certainly can interprets that the "second station" is equivalent to the "buffing station". Applicant's definition of the term "buff" or "buffing" never excludes the "second station". The applicants further point out that Easter teaches a "touch up" or buffing step is used to remove residual liner material. The examiner acknowledges Easter's teaching of "touch up" step and the examiner reserves the right to interprets either the second station or "touch up" station read on the limitation of the applicant's "buff station"

Binh X. Tran

July 31, 2003

  
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